

ARLIE RAY THOMAS,

Petitioner,

V.

BRUCE WESTBROOKS, Warden,¹

Respondent.

Case No. 2:11-cv-00081

Judge Sharp

ORDER

Petitioner Arlie Ray Thomas was convicted of first-degree murder for the murder of his wife, and sentenced by the Criminal Court for Putnam County in Cookeville, Tennessee after a jury trial. He is presently an inmate at the Southeastern Tennessee State Regional Correctional Facility in Pikeville, Bledsoe County, Tennessee. Now before the Court is his *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. (ECF No. 1.)

Having considered each and every claim raised by Thomas in his petition and supporting documentation, the Court finds, for the reasons set forth in the accompanying Memorandum Opinion, that Thomas is not entitled to habeas relief on the basis of any of the grounds presented. The petition is therefore **DENIED** and this matter **DISMISSED**.

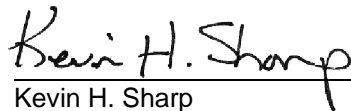
Further, for the reasons stated in the accompanying Memorandum Opinion, the Court **DENIES** a certificate of appealability. The petitioner therefore may not appeal this Order unless he obtains a certificate of appealability from the Sixth Circuit Court of Appeals under Rule 22 of the Federal Rules of Appellate Procedure. The Court also **CERTIFIES**, for the same reasons it denies a certificate of appealability, that any appeal would not be taken in good faith; leave to appeal *in forma pauperis* is therefore **DENIED**.²

¹ Bruce Westbrook is automatically substituted for his predecessor Jim Morrow as Warden of the Southeastern Tennessee State Regional Correctional Facility. Fed. R. Civ. P. 25(d)(1).

² If the petitioner files a notice of appeal, he must pay the full \$455 appellate filing fee or file a motion to proceed *in forma pauperis* and supporting affidavit in the Sixth Circuit Court of Appeals within thirty (30) days of the date of entry of this order. Fed. R. App. P. 24(a)(5).

It is so **ORDERED**.

Entry of this order shall constitute the judgment in this matter.



Kevin H. Sharp
United States District Judge